

THE HON'BLE SRI JUSTICE A.RAMALINGESWARA RAO

WRIT PETITION Nos.40094 of 2012 and 5326 of 2016

COMMON ORDER:

The issue involved in both the Writ Petitions is one and the same, they are being disposed of by common order.

2. W.P.No.40094 of 2012 was filed by two Clerks working in Karimnagar Co-operative Urban Bank Limited, Karimnagar when the bank passed order on 14.12.2012, communicating the decision of the Managing Committee taken on 31.10.2012, withdrawing and cancelling the resolution passed on 31.07.2006. The Bank passed a resolution on 31.07.2016 exempting the petitioners from undergoing training of Junior Diploma in Cooperation as per the orders in G.O.Ms.No.428 (Education IE2) Dept. dated 23.09.1995. The said resolution is sought to be cancelled now by virtue of another resolution on 31.10.2012 and the same was communicated to the petitioner on 14.12.2012. As a result of such order, the petitioners shall undergo training of Junior Diploma in Cooperation and obtain certificate and submit the same to the bank.

3. When the matter is taken up for consideration, learned counsel for the petitioners expressed no objection for undergoing training, but, stated that the Bank is not relieving the petitioners for undergoing training.

4. Learned Standing Counsel appearing for the respondent Bank stated that they have no objection, if the petitioners undergo training and submit a certificate.

5. Recording the undertaking given by both the counsel, W.P.No.40094 of 2012 is closed. In view of disposal of W.P.No.40094 of 2012, the interim order, dated 28.12.2012, passed in W.P.M.P.No.50890 of 2012 stands dissolved. No costs.

6. W.P.No.5326 of 2016 is filed by another Clerk seeking promotion to the post of Assistant Accountant on the ground that he rendered 24 years of service in the cadre of Clerk (Cadre-V).

7. A counter-affidavit is filed stating that as and when vacancies arise for the post of Assistant Accountant, the Bank would consider the case of the petitioner in accordance with law. It is also admitted that the petitioner possessed Degree in Commerce and a Junior Diploma in Cooperation, which is a requisite qualification to hold the post of Assistant Accountant. But, it was stated that the petitioner cannot seek automatic promotion by virtue of his qualification and experience. It is also stated that though Bank wanted to effect promotions, in view of orders passed in W.P.No.40094 of 2012 the same would not taken up.

8. In the circumstances, W.P.No.5326 of 2016 is disposed of giving liberty to the respondent Bank to consider the case of the petitioner for promotion, if there are any vacancies in the post of Assistant Accountant, in accordance with law. There shall be no order as to costs. Miscellaneous petitions, if any, pending in these writ petitions shall stand closed.

A.RAMALINGESWARA RAO, J

SEPTEMBER 22, 2016

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WRIT PETITION Nos.40094 of 2012 and 5326 of 2016

Date: 22.09.2016

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